

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF INDIANA  
INDIANAPOLIS DIVISION**

**In re: BRIDGESTONE/FIRESTONE, INC.,            ) Master File No. IP 00-9373-C-B/S  
TIRES PRODUCTS LIABILITY LITIGATION ) MDL NO. 1373  
\_\_\_\_\_)  
THIS DOCUMENT RELATES TO ALL            )  
ACTIONS    )**

**REVISED COMPREHENSIVE CASE MANAGEMENT SCHEDULE**

The purpose of this Entry is to provide counsel with one document which they can use to reference all current case management deadlines in this MDL proceeding. This Entry does not alter any existing deadlines, except to the extent that some previous deadlines fell on weekends and have now been moved to the following Monday, with subsequent related dates adjusted accordingly. **PLEASE NOTE THAT THIS SCHEDULE CONTAINS SOME NEW DEADLINES THAT HAVE NOT APPEARED IN PREVIOUS SCHEDULING ORDERS.** All such new deadlines appear in ***bold italic*** type.

For case management purposes, the cases in this MDL have been divided into two categories. The first category consists of those cases which are not and have not been subject to a motion to dismiss on forum non conveniens grounds. The cases in this category are referred to as “domestic cases.” The second category consists of those cases that are or were subject to a motion to dismiss on forum non conveniens grounds—in general, cases in which the plaintiff is not a U.S. citizen and in which the relevant accident or incident occurred outside of the United States. The cases in this category are referred to as “foreign accident cases.”

The two categories of cases are further divided into subcategories based upon the date the case was filed (i.e. the file was opened) in this court. For the domestic cases, all cases filed on or before June 30, 2001, are grouped together for case management purposes. Cases filed on or

after July 1, 2001, are grouped together according to the calendar quarter in which they were filed, and all cases filed within a given calendar quarter have the same deadlines. For the foreign accident cases, certain cases filed prior to January 1, 2002, have been designated as “First Wave” cases and others filed prior to that date have been designated as “Second Wave” cases. Lists of “First Wave” and “Second Wave” cases are attached to this Entry as Exhibit A and Exhibit B, respectively. A select few cases have been designated as “Expedited First Wave Cases.” All other foreign accident cases filed in 2001 have been designated as “Third Wave” cases. Foreign accident cases filed in the first calendar quarter of 2002 are “Fourth Wave” cases; cases filed in the second calendar quarter of 2002 are “Fifth Wave” cases; etc.

Please note that while these deadlines are generally applicable to the cases in this MDL, there are some individual cases in which specific deadlines have been established by, for example, an entry granting a motion to extend a particular deadline, or granting a motion to deem the case as filed later or earlier than it actually was for case management purposes. Any deadlines established by a case-specific order supercede the deadlines contained in this Entry.

If you are viewing this Entry on the Court’s website, you may click on the appropriate blue hyperlink below to see a calendar setting forth the deadlines for your case. **Remember that the operative date for determining when a case was “filed” is the date the file was opened in this court, not the date it was originally filed in the transferor court.** Finally, please note that this Entry does not reflect any deadlines that have already passed. Those deadlines are reflected in the Comprehensive Case Management Schedule dated January 24, 2002, which can be accessed on the Court’s website.

**I. DEADLINES FOR DOMESTIC CASES (CASES NOT SUBJECT TO A FORUM NON CONVENIENS MOTION)**

A. [Deadlines for Domestic Cases Filed on or before June 30, 2001:](#)

1. ***All Daubert motions shall be filed no later than October 1, 2002.***

Responses shall be filed within 30 days of the motion; replies within 15 days of the responses. To the extent that a *Daubert* motion addresses a “core” expert witness, and therefore is applicable to multiple cases, only one motion, listing the cause numbers of all cases in which the expert’s report has been submitted, should be filed.

B. [Deadlines for Domestic Cases Filed During the 3<sup>rd</sup> Quarter 2001:](#)

1. ***All Daubert motions shall be filed no later than October 15, 2002.***

Responses shall be filed within 30 days of the motion; replies within 15 days of the responses. To the extent that a *Daubert* motion addresses a “core” expert witness, and therefore is applicable to multiple cases, only one motion, listing the cause numbers of all cases in which the expert’s report has been submitted, should be filed.

C. [Deadlines for Domestic Cases Filed During the 4<sup>th</sup> Quarter 2001:](#)

1. All discovery related to expert witnesses shall be completed by **October 4, 2002.**
2. ***All Daubert motions shall be filed no later than October 30, 2002.***

Responses shall be filed within 30 days of the motion; replies within 15 days of the responses. To the extent that a *Daubert* motion addresses a “core” expert witness, and therefore is applicable to multiple cases, only

one motion, listing the cause numbers of all cases in which the expert's report has been submitted, should be filed.

D. Deadlines for Domestic Cases Filed During 1<sup>st</sup> Quarter 2002:

1. Case specific discovery (with the exception of discovery related to expert witnesses) shall be completed by **October 31, 2002**;
2. The plaintiffs shall serve their expert witness reports by **October 3, 2002**; the defendants shall serve their expert witness reports by **November 4, 2002**;
3. The parties shall exchange lists identifying supplemental experts who will offer expert opinions on topics for which another party has identified an expert, but for which the supplementing party has not yet identified an expert, by **October 3, 2002**;
4. The parties' supplemental expert witness reports shall be served by **November 4, 2002**;
5. Discovery related to those expert witnesses whose opinions will be relevant to motions for summary judgment shall be completed by **November 19, 2002**; all remaining discovery related to expert witnesses shall be completed by **January 8, 2003**.
6. All motions for summary judgment shall be filed by **November 25, 2002**, and shall be briefed in accordance with Local Rule 56.1. Therefore, responses shall be filed within 30 days of the motions and replies shall be filed within 15 days of the responses.

7. ***All Daubert motions shall be filed no later than November 25, 2002.***

Responses shall be filed within 30 days of the motion; replies within 15 days of the responses. To the extent that a *Daubert* motion addresses a “core” expert witness, and therefore is applicable to multiple cases, only one motion, listing the cause numbers of all cases in which the expert’s report has been submitted, should be filed.

E. Deadlines for Domestic Cases Filed During the Second Quarter 2002 and After

To determine the appropriate deadlines for domestic cases filed during the second calendar quarter of 2002, add 90 days to the deadlines applicable to the First Quarter 2002 domestic cases. To determine the appropriate deadlines for domestic cases filed during the third calendar quarter of 2002, add 90 days to the deadlines applicable to the Second Quarter 2002 domestic cases, etc.

II. **DEADLINES FOR FOREIGN ACCIDENT CASES (CASES SUBJECT TO A FORUM NON CONVENIENS MOTION)**

A. Deadlines for “First Wave” Foreign Accident Cases (See Exhibit A for list):

1. All discovery shall be completed by **December 6, 2002**.
2. All dispositive motions and *Daubert* motions shall be filed by **January 17, 2003**. Responses shall be filed within 30 days; replies within 15 days. To the extent that a *Daubert* motion addresses a “core” expert witness, and therefore is applicable to multiple cases, only one motion, listing the cause numbers of all cases in which the expert’s report has been submitted, should be filed.

B. Deadlines for Expedited “First Wave” Foreign Accident Cases

The following First Wave foreign Accident Cases are subject to an expedited case management schedule:

IP 01-5112-C-B/S (*Octavio*) and IP 01-5103-C-B/S (*Casadieago*)

IP 01-5177-C-B/S (*Diaz Sanchez*)

IP 01-5349 (*Jaimes*)

IP 01-5350-C-B/S (*Graterol*) and IP 01-5346-C-B/S (*Sanchez*)

The following expedited schedule applies to these cases:

1. All discovery that is relevant to any anticipated dispositive or *Daubert* motion shall be completed by **October 15, 2002**. Any remaining discovery shall be completed by **December 6, 2002**.
2. All dispositive motions and all *Daubert* motions shall be filed by **November 15, 2002**. Responses shall be filed within 30 days; replies within 15 days.

C. Deadlines for “Second Wave” Foreign Accident Cases (See Exhibit B for list):

1. The parties shall exchange lists identifying case-specific (i.e. “non-core”) expert witnesses and the topics on which they are expected to offer expert testimony on or before **October 30, 2002**.
2. The plaintiffs shall serve their non-core expert witness reports by **December 2, 2002**.
3. The defendants shall serve their non-core expert witness reports by **January 2, 2003**.

4. The parties shall exchange lists identifying supplemental experts who will offer “non-core” expert opinions on topics for which another party has identified an expert, but for which the supplementing party has not yet identified an expert, by **December 2, 2002**.
5. The parties’ supplemental non-core expert witness reports shall be served by **January 2, 2003**.
6. Case specific (i.e. non-core) discovery (with the exception of discovery related to expert witnesses) shall be completed by **January 15, 2003**.
7. All expert witness discovery shall be completed by **March 6, 2003**.
8. All dispositive motions and all *Daubert* motions shall be filed by **April 17, 2003**. Responses shall be filed within 30 days; replies within 15 days. To the extent that a *Daubert* motion addresses a “core” expert witness, and therefore is applicable to multiple cases, only one motion, listing the cause numbers of all cases in which the expert’s report has been submitted, should be filed.

D. Deadlines for “Third Wave” Foreign Accident Cases:

1. The parties shall exchange lists identifying case-specific (i.e. “non-core”) expert witnesses and the topics on which they are expected to offer expert testimony on or before **November 29, 2002**.
2. The plaintiffs shall serve their non-core expert witness reports by **December 31, 2002**.
3. The defendants shall serve their non-core expert witness reports by **January 30, 2003**.

4. The parties shall exchange lists identifying supplemental experts who will offer “non-core” expert opinions on topics for which another party has identified an expert, but for which the supplementing party has not yet identified an expert, by **December 31, 2002**.
5. The parties’ supplemental non-core expert witness reports shall be served by **January 30, 2003**.
6. Case specific (i.e. non-core) discovery (with the exception of discovery related to expert witnesses) shall be completed by **February 17, 2003**.
7. All expert witness discovery shall be completed by **April 7, 2003**.
8. All dispositive motions and all *Daubert* motions shall be filed by **May 19, 2003**. Responses shall be filed within 30 days; replies within 15 days. To the extent that a *Daubert* motion addresses a “core” expert witness, and therefore is applicable to multiple cases, only one motion, listing the cause numbers of all cases in which the expert’s report has been submitted, should be filed.

E. [Deadlines for “Fourth Wave” Foreign Accident Cases:](#)

1. *All parties shall exchange lists identifying the “core” expert witnesses they intend to utilize in each case and, if necessary, serve a copy of each expert’s core report on or before October 14, 2002.*
2. The parties shall exchange lists identifying case-specific (i.e. “non-core”) expert witnesses and the topics on which they are expected to offer expert testimony on or before **December 30, 2002**.

3. The plaintiffs shall serve their non-core expert witness reports by **January 29, 2003**.
4. The defendants shall serve their non-core expert witness reports by **February 28, 2003**.
5. The parties shall exchange lists identifying supplemental experts who will offer “non-core” expert opinions on topics for which another party has identified an expert, but for which the supplementing party has not yet identified an expert, by **January 29, 2003**.
6. The parties’ supplemental non-core expert witness reports shall be served by **February 28, 2003**.
7. Case specific (i.e. non-core) discovery (with the exception of discovery related to expert witnesses) shall be completed by **March 17, 2003**.
8. All expert witness discovery shall be completed by **May 6, 2003**.
9. All dispositive motions and all *Daubert* motions shall be filed by **June 17, 2003**. Responses shall be filed within 30 days; replies within 15 days. To the extent that a *Daubert* motion addresses a “core” expert witness, and therefore is applicable to multiple cases, only one motion, listing the cause numbers of all cases in which the expert’s report has been submitted, should be filed.

F. Deadlines for “Fifth Wave” and Subsequent Foreign Accident Cases

To determine the applicable deadlines for “Fifth Wave” foreign accident cases—that is, cases that were filed during the second calendar quarter of 2002—add

90 days to the “Fourth Wave” deadlines. For the “Sixth Wave,” add 90 days to the “Fifth Wave” deadlines, etc.

ENTERED this \_\_\_\_\_ day of September 2002.

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United States Magistrate Judge  
Southern District of Indiana

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## **EXHIBIT A**

### **FIRST WAVE FOREIGN ACCIDENT CASES**

The following cases (which are groups together by accident) have been denominated as “First Wave” cases by the parties:

1. IP 01-5321-C-B/S (*Pedraza*)  
IP 01-5268-C-B/S (*Pedraza*)
2. IP 01-5011-C-B/S (*Salegui*)  
IP 01-5013-C-B/S (*Rujano*)
3. IP 01-5100-C-B/S (*Albers*)  
IP 01-5081-C-B/S (*Albers*)  
IP 01-5095-C-B/S (*Albers*)
4. IP 01-5219-C-B/S (*LaCruz*)  
IP 01-5220-C-B/S (*Beltran*)
5. IP 01-5113-C-B/S (*Dias*)
6. IP 01-5331-C-B/S (*Mendez*)
7. IP 01-5314-C-B/S (*Altuve*)
8. IP 01-5084-C-B/S (*Oca*)  
IP 01-5105-C-B/S (*Oca*)  
IP 01-5082-C-B/S (*Oca*)  
IP 01-5085-C-B/S (*Oca*)  
IP 01-5086-C-B/S (*Oca*)
9. IP 01-5120-C-B/S (*David*)  
IP 01-5114-C-B/S (*David*)  
IP 01-5115-C-B/S (*David*)  
IP 01-5119-C-B/S (*David*)
10. IP 01-5111-C-B/S (*Paniz*)  
IP 01-5107-C-B/S (*Paniz*)  
IP 01-5102-C-B/S (*Paniz*)

11. IP 01-5118-C-B/S (*Alvarez*)  
IP 01-5117-C-B/S (*Alvarez*)  
IP 01-5260-C-B/S (*Padilla*)
12. IP 01-5191-C-B/S (*Perozo*)  
IP 01-5189-C-B/S (*Perozo*)  
IP 01-5190-C-B/S (*Perozo*)
13. IP 01-5222-C-B/S (*Brelje*)
14. IP 01-5221-C-B/S (*Figueredo*)
15. IP 01-5261-C-B/S (*Campos*)  
IP 01-5262-C-B/S (*Esparza*)  
IP 01-5263-C-B/S (*Junio*)  
IP 01-5264-C-B/S (*Teran*)  
IP 01-5265-C-B/S (*Roitman*)
16. IP 01-5193-C-B/S (*Aguilera*)  
IP 01-5231-C-B/S (*Vallenila*)
17. IP 01-5347-C-B/S (*Engel*)  
IP 01-5344-C-B/S (*Diaz*)  
IP 01-5343-C-B/S (*Ordaz*)
18. IP 01-5326-C-B/S (*Hempel*)  
IP 01-5327-C-B/S (*Blochwitz*)  
IP 01-5325-C-B/S (*Haenske*)

## **EXHIBIT B**

### **SECOND WAVE FOREIGN ACCIDENT CASES**

The following cases have been designated by the parties as “Second Wave” foreign accident cases:

IP 00-5078-C-B/S ( <i>Castrillo</i> )	IP 02-5579-C-B/S ( <i>Munoz</i> )
IP 00-5079-C-B/S ( <i>Viloria</i> )	
IP 00-5092-C-B/S ( <i>Pinto</i> )	
IP 00-5093-C-B/S ( <i>Romero-Rodriguez</i> )	
IP 00-5094-C-B/S ( <i>Guevara</i> )	
IP 00-5101-C-B/S ( <i>Olivares</i> )	
IP 00-5104-C-B/S ( <i>Pinto</i> )	
IP 00-5110-C-B/S ( <i>Mora</i> )	
IP 00-5116-C-B/S ( <i>Ruiz</i> )	
IP 01-5178-C-B/S ( <i>Sarache</i> )	
IP 01-5181-C-B/S ( <i>Armao</i> )	
IP 01-5182-C-B/S ( <i>Ibarra</i> )	
IP 01-5223-C-B/S ( <i>Ramirez</i> )	
IP 01-5224-C-B/S ( <i>Sanchez</i> )	
IP 01-5225-C-B/S ( <i>Flores</i> )	
IP 01-5232-C-B/S ( <i>Caraballo-Lara</i> )	
IP 01-5269-C-B/S ( <i>Teran</i> )	
IP 01-5271-C-B/S ( <i>Ferrin</i> )	
IP 01-5272-C-B/S ( <i>Cotignola</i> )	
IP 01-5273-C-B/S ( <i>Aranda</i> )	
IP 01-5312-C-B/S ( <i>Gonzalez</i> )	
IP 01-5313-C-B/S ( <i>Altuve</i> )	
IP 01-5314-C-B/S ( <i>Graterol</i> )	
IP 01-5322-C-B/S ( <i>Vilaro</i> )	
IP 01-5342-C-B/S ( <i>Argueyo</i> )	
IP 01-5345-C-B/S ( <i>Torres</i> )	
IP 01-5348-C-B/S ( <i>Rodriguez</i> )	
IP 01-5370-C-B/S ( <i>Rodriguez</i> )	
IP 01-5371-C-B/S ( <i>Rodriguez</i> )	
IP 01-5385-C-B/S ( <i>Garcia</i> )	
IP 01-5386-C-B/S ( <i>Barrios</i> )	
IP 01-5387-C-B/S ( <i>Navarro</i> )	
IP 01-5388-C-B/S ( <i>Vilaro</i> )	
IP 01-5389-C-B/S ( <i>Monterroza</i> )	
IP 01-5395-C-B/S ( <i>Maldonado</i> )	
IP 01-5434-C-B/S ( <i>Zerpa</i> )	
IP 02-5578-C-B/S ( <i>Munoz</i> )	